

Remarks

The Examiner's Office Action mailed December 29, 2003 and the reference cited therein have been reviewed. In this response, claim 1 has been amended for purposes of clarification. Applicants request reexamination and reconsideration of the application in view of this amendment and further in view of the following remarks.

The claims presently pending in this application (claims 1-8) call for a process for chilling and aging front portions of poultry carcasses. Claim 1 calls for the steps of: (a) separating eviscerated poultry carcasses into front portions and back portions; (b) then conducting a fecal inspection of at least some of the front portions; (c) chilling the front portions in water and then (d) chilling and aging the front portions. In this response, claim 1 has been amended to further clarify that, in step (a) of the claimed process, the front and back portions of the eviscerated poultry carcasses are completely separated from each other such that the front portions are no longer connected to the back portions. The amendment also clarifies that the separated fronts do not include any legs.

Applicants' claim 2 calls for pre-chilling the fronts in step (c) in an auger chiller. Claim 3 calls for chilling and aging the fronts in step (d) in water. Claim 4 depends from claim 3 and states that the fronts are chilled and aged in step (d) by continuously conveying the fronts through at least one tub chiller.

Applicants' claim 5 calls for the additional step, after separating the front portions in step (a) and prior to conducting the fecal inspection in step (b), of washing the front portions. Claim 6 provides that the washing step of claim 5 uses chlorinated water. Claim 7 calls for the additional

step, after pre-chilling in step (c) and prior to chilling and aging in step (d), of delivering the front portions through a reconditioning wash whenever a failure is detected in the fecal inspection of step (b). Claim 8 depends from claim 7 and calls for the further step, after pre-chilling in step (c) and prior to chilling and aging in step (d), of conducting a secondary fecal inspection at the reconditioning wash.

In the Office Action mailed December 29, 2003, the Examiner rejected claims 1-8 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,729,773, issued to Dillon. However, Dillon discloses only a method for washing and chilling whole, eviscerated birds. In contrast to the process called for in Applicants' claims, the birds which are washed and chilled in accordance with the Dillon process are not and cannot be separated into front and back halves. Rather, it is essential to the Dillon process that whole birds be conducted through the process by their legs (i.e., the back portions of the carcasses) using a series of shackle conveyors. Dillon neither discloses nor suggests any changes or modification whereby the various stages of the Dillon process could be converted to convey or treat separated fronts which do not include any legs.

Moreover, in further contrast to the requirements of Applicant's claims, Dillon neither discloses nor suggests any type of fecal inspection step. Rather, Dillon teaches only the steps of (1) eviscerating whole carcasses, (2) spray washing the interiors of the eviscerated whole carcasses, (3) spray washing the exteriors of whole carcasses, (4) pre-chilling the hanging carcasses with a cold water spray, (5) cooling the hanging carcasses by contact with a chilled water spray and cold air, and then (6) packaging the chilled whole carcasses. Dillon also teaches against chilling by submersion in cold water. (Col.: 8-32)

As is thus apparent, Dillon neither discloses nor suggests several key features called for in Applicants' claims. Examples of such features include, but are not limited to, the following:

- a. Chilling and aging poultry fronts wherein the fronts are first completely separated from the back portions and legs of the poultry carcasses. (Claim 1)
- b. Conducting a fecal inspection after the fronts are separated from the back portions and legs of the carcasses. (Claim 1)
- c. Pre-chilling the separated fronts in water in an auger chiller. (Claim 2)
- d. Chilling and aging the separated fronts by conveying the fronts through at least one tub chiller. (Claim 4)
- e. Washing the separated fronts after the separation step and prior to conducting the fecal inspection. (Claim 5)
- f. Delivering the separated and pre-chilled fronts through a reconditioning wash prior to chilling and aging whenever a failure is detected in the fecal inspection step. (Claim 7)
- g. Conducting a secondary fecal inspection at the reconditioning wash. (Claim 8)

In view of the above, Applicants respectfully submit that claims 1-8 are in condition for allowance. Applicants therefore request that the Examiner's rejection of these claims be withdrawn and that the Examiner allow Applicants' claims 1-8.

This paper is intended to constitute a complete response to the Examiner's Office Action mailed December 29, 2003.

Respectfully submitted,

 3/1/04

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